Mr. Burns Referred to the President as Teddy and the Military Member of the Board Protested Testimony as to the

Treatment of Miners by the Markles. SCRANTON, Pa., Dec. 8.-Gen. Wilson showed indignation at the session of the anthracity strike commission in this city this afternoon. John D. Hughes, manager for Armour & Co., was called to the stand to show the increased prices of meat, the idea of Mr. Darrow being that he would prove that the cost of living had increased in recent years while there was no corresponding increase in wages.

Mr. Hughes was cross-examined by I. H. Burns, counsel for the independent operators. Several questions were asked him relative to the Beef Trust, about which the witness declared that he knew nothing. He said he had read in the newspapers about it, but he did not believe all that had been printed. Mr. Burns then asked:

"Do you agree with what 'Teddy' Roose velt said about trusts?"

The witness replied that he did in part Hardly had he spoken, when Gen. Wilson sprang to his fee: and buttoning his coat about him, said with a show of much

"I object to any person before this body referring to the President of the United States in that manner.

Silence followed the explosion of the Commissioner. Mr. Burn dropped the crossexamination and the matter was not again referred to.

The day was taken up principally by the attempt of the counsel for the miners to show that a deplorable condition of affairs exists at the mines of Markle & Co. The representatives of the big coal companies took little interest in this, evidently considering the allegations a matter for the independent operators to deal with.

When the commission met this morning Judge Gray said that the commission desired that the companies would submit statements as to wages, &c., at the earliest possible moment. In case any of the companies did not have them all prepared, he asked why they could not submit what they have ready. Mr. Warren said that some of the companies that he represented had figures ready that would be handed in almost at once. Mr. Revnol is said that if all the figures that the commission desires are prepared by some of the companies that he represented two months will be occupied in completing the task.

Mr. Darrow suggested that almost any thing can be done with figures. He did not want to impeach the honesty of any man, but he did not want to take the mere word of the companies that their figures were correct. Judge Gray said that the accounts will become public property when they are filed with the commission and then Mr. Darrow could have his experts go over them.

James Gallagher, an employee of Markle & Co., was questioned with regard to the burial fund arrangement that prevails at the Markle colliery. He said that the Markles pay \$50 into the fund every time that a man meets his death in the mines, but never when an employee dies a natural There was a condition to this, that the men working in a gangway or slope do not all leave that slope when a man is killed, as they had been in the habit of delig.
Once this contract had been violated by
the men and for some years the Markles
would give no more than \$25 when a man
was killed. Several years ago the addiwas killed. Several years ago the addi-tional \$.5 was restored.

The witness thought that it required a great deal of experience to be a miner. He has been thirty-five years in the mines

tion by saying that he has been working for the Maikles for four certs a day, and that the money was applied by the com-pany to pay off a reat debt owed by his father before he was killed. Describing how the elder Chippie met his death Gal-

"He and another man were coming down a gangway. When they came to where a kicking mule was in the way they went under a platform to get out of the way of the mule. The mule kicked the platform to pieces and killed the men under it."

The witness as a that the cars at the Markle colliery of been made larger in recent years. He went on to say that the year Hayes was closted.

year Hayes was elected." Hayes was not elected," said Bishop Spalding. "Well," said the witness, "the year he took his chair then."
Gallagher said that the Markles admitted then that the cars were larger because times were bad and the company could not afford to pay more. The company promised to restore the car to its regular

ize when the times became better this was not done.

The witness said that he had heard that certificates as miners had been sold to incompetent persons. If they had been sold in that way it was, of course, by the miners on the examining boards, and who were perhaps members of the union. On cross-examination the witness admitted that when the cars were made larger the

price a car paid to the miner was increased, but, he insisted, the car kept getting larger the time. Frank Ray, a miner for Markle & Co.

at Hazleton, was then recalled. He did not agree that 60 per cent of the accidents in the mines are due to the ignorance of the miners. The miners are often unable, he said, owing to the smoke caused by blasts, to see dangerous bits of roof that fall and cause accidents. This witness fall and cause accidents. This witness also said that larger cars were placed in the mines at Jeddo some years ago. The witness said that he was the treasurer

of the local union at Jeddo. When the strike was settled he was told that there was no work for him. The witness was asked about the strike at the Markle mine said that this was because the Markies would not agree to arbitrate the major grievances that had been presented.

Paul Dunleavy, a former employee of Markie & Co. at Jeddo, said that he was among the record provider. He made family

among the people evicted. He had a family of eleven, all living in a four-room house. They had five minutes to get out, and when

resumed. He said that he had beed docked unjustly. This brought up a long discussion on the complicated system by which powder is paid for at the Markle collieries. towder is paid for at the Markle collisiss.

In the commission could not understand it is and James Gallegher was recalled for an it explanation, which the commission found plucid and satisfactory. Shobland before his was excused said that the Markles did set not give as much advance as the others did after the strike of 1960. Major Warren wideclared that the practice of the Markles nedid not obtain throughout the coal regions.
Th. J. J. Rittenhous: of Secanton, secretary
of the Retail Geogram's Association, was

SPOKE LIGHTLY OF ROOSEVELT witness, the miners experienced difficulty to pay their bills.

John D. Hughes, manager for Armour & Co. in Scranton testified as to the recent increase in the price of meat. It was during this testimony that Gen. Wilson made his protest about speaking lightly about the President of the United States.

Mrs. Chippie, the mother of Andrew chippie, was then examined with the aid of an interpreter. When her husband was killed, she said, she had been asked to sign a contract not to prosecute the company, in consideration of which she was to have coal and rent free. When the refused the com-pany told her to go, that she would not get any coal and that she would have to pay her rent. When Andrew got a place in the breaker the company did not tell her that his carriage would be entitled to the old rent

is earnings would be applied to the old rent bill. The officials as good as told her that they were seeking to force her to sign the paper they had presented to her.

Mary Ann Rahmer, whose husband was killed in the mines of Matkle & Co. said

that she, too, was asked to sign a state-ment agreeing not to prosecute the com-pany, in consideration of which she was to ave coal and rent free. Her son'is working The last witness of the day was Charles Helferty, one of the men evicted at Jeddo. tem was abused at the Markle mines and was so excessive that he was unable to make

WRIGHT'S PAY \$15 A DAY. That'll Do for Other Federal Employees

on Strike Board, Committee Thinks. WASHINGTON, Dec. 8.- The Senate Committee on Appropriations this morning agreed to report favorably the House resolution appropriating \$50,000 for the expenses of the coal strike commission, but with an amendment restricting the expenses of Judge Gray, Carroll D. Wright. E. A. Moseley, and other Federal employees onnected with the commission to \$15 a day, and providing that these Federal em-

work on the commission The Appropriations Committee will also probably report an amendment limiting the salary of other Commissioners to \$6,000

ployees shall receive no salary for their

INSURANCE DECISION. Default on a Note Given for Premium Annuls Policy.

WASHINGTON, Dec. 8 .- A decision of farreaching importance to the army of policyolders in life insurance companies, determining which one of two conflicting constructions but by various courts of the land upon not s given for the payment of life nsurance premiums shall prevail in Federal courts, was rendered by the Supreme ourt to-day in the case of Lula T. Lewis vs. The Iowa Insurance Company, in error from the Circuit Court for the Northern Disrict of Texas.

note or notes for the payment of the first premium, the notes bearing a stipulation, usually upon the back, that in default of payment when due the policy shall cease and determine. In some States it has been held that in case of death within the year the company must pay the face of the policy, deducting, in case of default of payment of the premium note, the amount thereof with interest; that the stipulation on the back of the note was no part of the insurance contract between the parties, but was considered only as evidence of debt by the insured to the company. In other States it has been held that the stipulation was a part of the contract and that default of payment terminated the policy.

Announcing the decision and opinion of the court, Justice McKenna said it had taken note of the contrariety of decisions, and had come to the conclusion that the stipulation

come to the conclusion that the stipulation was a part of the contract; that the minds of the two parties had met with regard to of the two parties had het with regard to its terms, and that automatically, without affirmative action by the company, such as sending notice of the approach of the date of maturity of the note, on default of pay-

and he can be taught yet. In answer to a question by Judge Gray the witness said that a great many men are killed in the mines because of ignorance. He would not attempt to say how many are killed through the carelessness of others.

The witness told of the way in which the father of little Andrew Chippie was killed. to recover on the policy. The lower courts held the company liable for the face of the licy, less the amount of the premium e and interest thereon, but the Supreme urt reversed their judgment and re-

Court reversed their judgment and remanded the case for further proceedings.

It was decided by the Supreme Court to-day in the case of the Knights Templar and Masons' Life Indemnity Company vs. Rosa B. Jarman that what is known as the "Buicide Statute" of Missouri applies to redicine by the Ludgment. policies by the Indemnity company in that State, and that, despite the fact that the policy contains a provision of voidance in case of suicide, whether while sane or in-sane, a policy must be paid in case the in-sured committed suicide while insane.

The Supreme Court to-day refused to advance the case of the Underground Rail-way Company vs. the city of New York for early argument, but the Chief Justice said the court would take it under consideration on printed briefs.

HOW'S INDIANA FOR HANNA? Michener Wants to Know - Don't Want Job of President, Says Hanna'.

WASHINGTON, Dec. 8. - An identical letter sent to Indiana Republicans for the purpose of feeling the party pulse in the Hoosier State with regard to the possible candidacy of Senator Hanna for the Presidentia nomination in 1904 is causing considerable comment among politicians. The letter is signed by L. T. Michener, a former Attorney-General of Indiana, who was at the head of the movement which resulted

The letter intimates that Senator Hanna may become a Presidential candidate and suggests that some of President Rosse-velt's friends are, therefore, uneasy. It

velt's friends are, therefore, uneasy, is as follows:

WASHINGTON, Nov. 1, 1902.

The Hon. Ind:

My Dran Mr. It is believed here that Senator Hanns will try to get the Presidential nomination in 1904 and that he expects the support of Indiana. Some of the Presidential nomination in 1904 and that he expects the support of Indiana. Some of the President's friends are a little uneasy about it. Do you think that Hanna could take Indiana away from Roosevelt or Fairbanks? Kindly let me have your views by next mall, if at all convenient. With kindest regards, yours truly.

L. T. MICHENER.

These letters were marked "Confidential, but Indiana Republicans, not understanding the reason for their appearance, have sent opies to Congressmen here asking for ome explanation

They had five minutes to get the street of t

These letters state, asso, that it all fair fairbanks should not be a candidate in 1904, and if Mr. Hanna and the President be opposing candidates for the nomination, there would be a very sharp struggle for the Indiana delegation, with the result in

doubt."
Mr. Michener received twenty-five answers to his letters.

Senator Hanna's comment on the Michener letter is: "As I have said time and time again, I am not a candidate. I will not be and I don't want the job."

of the Retail G.coers' A sociation, was but alled to the stand to sow that there stilled been increases in the prices of that odstuffs recently. Flour, however, was selt per cent, cleaper. Butter was from hore to 35 per cent, higher and eggs from place per cent, to 41 per cent. The living expenses had increased 30 per cent, average and increased 30 per cent, ever tee 1900, he said. In the opinion of the

WHAT WILL SETTLE STRIKES?

CIVIC FEDERATION BEGINS AN INTERESTING DEBATE.

harles F. Adams Would Have Compulsors Inquiry Tried, Leaving Public Opinion to Do the Rest-But if Corpora-

tions Won't Tell?" More Talk To-day Under the chairmanship of Senator, M. A. Hanna the industrial department of the National Civic Federation began a conference in the rooms of the Board of Trade and Transportation yesterday which is to last three days. The subject is "Compulsory or Voluntary Arbitration, and the Limits

of Conciliation. With Senator Hanna, president of the federation, Vice-Presidents Oscar Straus and Samuel Gompers sat upon the platform. Among others present in the course of the day were Bishop Potter, Cornelius N. Bliss, Archbishop Ireland, Bishop McGoldrick of Duluth, the Rev. Dr. Thomas R. Slicer, Charles J. Bonaparte of Baltimore, Charles Francis Adams of Boston, H. H. Vreeland, John G. Milburn of Buffalo, Alfred Moseley of England and several members of the company of British labor unionists who have accompanied him on his visit to look into industrial conditions in the United States. In opening the meeting Senator Hanna said:

Lam glad to be able to say that our experiences in the last year have proved to those who are charged with the responsibilities of this work the fact that the great mass of American people are in sympathy with the organization and its work.

This great industrial question has come to the surface and is demanding due and careful consideration by the people. It is our purpose to discuss it fully, so that thoughtful men, men of experience, can lend their advice and contribute their effort and sympathy to our cause.

Mayor Low made a speech of welcome n which he talked of capitalists and "labor-sts," after which Alfred Moseley made a ong address, in the course of which he made these remarks contrasting conditions in the United States and Great Britain:

the United States and Great Britain:

I am English born, but I have spent the greater part of my life in South Africa, where I was interested in mining. We mined for years, in our diamond mines especially, with a variety of English engineers, but we made no progress until an American engineer, Gardner Williams, arrived upon the scene. He was followed by a large number of engineers and others, and it is to the American engineer that we owe the success—all the success—of South Africa.

Why is it that the workmen in America can earn so much better wages, and the manufacturer can make large profits, and can yet compete in the world's markets for the product? It is a very important question for these dele-

very important question for these dele-

e o'd country.

England manufacturers say that a British workman is entitled to earn about such and such an amount, and if through his energy and his enterprise he succeeds in earning larger wages, the manufacturer begins to say, hese men are earning too much. Good actous me, this sum of money is hardly ted to their position. We must cut the ice," and the price is accordingly cut. Another point is the encouragement that offered by the manufacturers of this county to the brains and the initiative of the

They say to the workmen: "Tell us all you They say to the workmen: "Tell us all you mow. Do you see anything that you think an be improved? If so, send in those improvements to us and we will recognize them y payment either of a premium or by giving our a share in the saving that you have elected or by promotion, or some other resummation which shall be equally satisfactory." The result is that they have a multiplicity

The result is that they have a multiplicity of brains continually working, seeking to improve the methods of their manufacture.

In England, I am sorry to say, I do not think our manufacturers have taken that broadminded view. They stand in the position of saying, "We know our business: we have nothing to learn; we require you there to do your work. Do as you are told; we ask nothing more."

Archbishop Ireland said among other

Archbishop Ireland said among other things:

Intellect has entered into all the classes of society. The working man to-day is a thinking being. We enter hopefully into the discussion of relations between capital and labor.

Let us hope and trust that the lessons derived from this late coal strike are such that a strike of the kind or a strike approaching in any way its immense proportions will henceforth be an absolute impossibility. Let us so educate the country at large upon this question that all will feel that their first duty is neace and union and harmony.

I know of no greater work of religion than this at the present moment, the bringing of industrial peace.

Charles Francis Adams said that he was

Charles Francis Adams said that he was Charles Francis Adams said that he was not a believer in compulsory arbitration, but he did believe that compulsory inquiry would be found a very efficient remedy for the industrial difficulties under consideration. He then expressed the ideas he has put forward before, based on the Boston and Maine strike of a quarter of a century ago and its settlement through the public inquiry of the Massachusetts Railroad Commissioners; and suggested the scheme of a public commission of inquiry to be appointed by the State or National Executive whenever in his judgment. tional Executive whenever in his judgment a strike or labor difficulty situation de-manded such action.

Mr. Adams said that he had talked the

Mr. Adams said that he had talked the subject over with Carroll D. Wright and Senator Lodge. He did not say that Senator Lodge had conveyed this suggestion to President Roosevelt in the acute stage of the anthracite coal strike.

"What is wanted is not force, but light and guidance," said Mr. Adams.

He did not wish a permanent board or commission, but to have one appointed for each, emergency, and that each should

commission, but to have one appointed for each emergency, and that each should report to its appointing power. "That report," said he, "would have the force of a decision of the High Court of Justice on an abstract Constitutional principle. If the opinion was biassed or weak, no attention would be paid to it. If it was clear and convincing, it would have the effect of a mendatory law owing to the force of public opinion, and both sides would abide by what opinion, and both sides would abide by what

mendatory law owing to the force of public opinion, and both sides would abide by what was shown to be the right. Public opinion would enforce itself.

John McMackin of the New York State Labor Commission said that what would answer twenty-five years ago would not do to-day under present industrial conditions. He said that Carroll D. Wright could tell Mr. Adams that not even under the law could the great corporations be forced to give information about their concerns for the Federal census. It was all but impossible, he said, to obtain data from them. That was the reason that something more was required now, in order that the people might obtain knowledge of these corporations' affairs; publicity regarding the great trusts should be compelled.

Mr. Carpenter of the Cash Register Com-

Mr. Carpenter of the Cash Register Com-pany of Dayton, Ohio; Mr. Barnes of the Society of Engineers of England, G. C. Sykes, former secretary of the Street Railway Commission of Chicago, and General Secretary Walis of the Blast Furnacemen's Association of England also spoke. Mr.

Association of England also spoke. Carpenter said:
"Workmen now are becoming convinced hat they are entitled to a little more than their wages, and if they do not get it they are going to organize and demand it."

The executive committee held a meeting last evening at the home of Oscar Straus. The sessions at the Board of Trade

and Transportation rooms will be resumed

at 10:30 this morning. BAYONNE SCHOOLS MAY GO COLD. Board Cannot Buy Coal for Less Than 86.50 and Won't Pay That Price.

Six hundred tons of coal are needed for he Bayonne, N. J., public schools and the Board of Education is in a quandary. It has twice advertised for bids and each time two firms submitted prices.

The lowest price bid was \$6.50 a ton, the

price that families are now paying for a single ton. The trustees say they will not pay so much. Only a few days' supply of coal is in the school:

Last year the school coal cost \$3 9) a ton. CITY HALL HAS A STRIKE ON.

Labor Smells a Non-Union Influence Somewhere so Seven Plasterers Go Out. Since the work of renovating the interior of the City Hall began, there have been daily disputes between the contracto

MERIDEN CO.

Silversmiths

INTERNATIONAL SILVER COMPANY, SUCCESSOR The approaching holidays offer a suitable opportunity for enriching the family side-board with the best examples of modern workmanship in sterling silver and in silver and gold plate.

> Tea Sets and Tea Kettles, After Dinner Coffee Services, Entree Dishes, Salvers, Etc., And all Fancy and Toilet Articles.

As we are the largest manufacturers of Sterling and Plated Wares in the world, we are enabled to offer the greatest assortment with a corresponding range of prices. Mudison Square, Fifth Avenue and Twenty-sixth Stree'.

IN MUDDLE OVER TEA DUTIES.

SECRETARY SHAW GOES TO CON-

GRESS TO GET HELP.

His Advice Tea Was Distributed by

Carload to Watt Jan. I When Tax

Will Be Removed Court's Decision

as to Payment of Duties Upsets Things.

Washington, Dec. 8. There is a muddle

in the Treasury Department in regard to the

importation of tea. On the 1st of Novem-

ber there were in the bonded warehouses

at ports of entry in the United States nearly

65,000,000 pounds of tea, and the retail tea

merchants have been complaining that there

is a tea famine in the country. The amoun

of this commodity in warehouses has in-

creased steadily, however, until it is fully

twice is great as it was four or five months

The reason for the accumulation of tea

in bonded warehouses is that the tax of 10

cents a pound will be removed on the 1st

of next January, and the importers were

hoping that they could hold the tea there

until that date and then withdraw it with-

A short time ago a delegation of te

merchants came to Washington for a con-

ference with Secretary of the Treasury

Shaw. They told him that they understood

that they could withdraw their tea from

the bonded warehouses on Jan. 1, tax free

but that in the meantime the trade was

suffering for a supply to furnish to the re-

tail dealers. The demand by Jan. 1, they

said, would be very pressing. They had

sold large quantities for delivery imme-

diately after Jan. 1, and they wished to

as much of the tea as they needed for their

January deliveries, place it in box care

parts of the country. This plan was m-

tended to save the time that would be

consumed in moving the tea from the ports

of entry to the places of delivery and this

time was regarded as an important factor

It is uncertain what effect the fact that a quantity of the tea in question has been shipped to several parts of the country in sealed box cars will have on the Ways

case formed a sound precedent for the

guidance of the tea importers, however, for the questions involved are precisely

TO STOP TRAFFIC IN WOMEN.

Convention Adopted at Brussels Laid

WASHINGTON, Dec. 8 .- A convention pro-

viding for international cooperation in the suppression of the importation of white

women for immoral purposes was sent to the Senate by the President to-day for the

This convention was adopted at a con-

ference of nations at Brussels this year. The United States was not represented, but its concurrence was invited.

but its concurrence was invited.

Chief Clerk Rose started to read the President's message of transmittal in open session, but Senators Frye and Lodge decided that the convention was confidential and should be laid before the Senate only in executive session.

They did not know that the convention that the convention is a convention of the convention o

had been made public by the signatory Powers last summer and published by the State Department several months ago.

TRUSTS AND CONSTITUTION.

Senator Nelson Introduces Amendment

Giving Congress Powers. WASHINGTON, Dec. 8. - Senator Nelson

to-day introduced a proposed amendment

to the Constitution giving Congress power

to define, regulate, prohibit or dissolve

trusts, monopolies or combinations,

whether in the form of a corporation or

otherwise, and to license, regulate and

control all corporations engaged in trade

or commerceor other business in the several

States or with foreign nations.

All the powers conferred by the amendment are extended to the several States and Territories, the District of Columbia

and all Territories in the sovereignty and subject to the jurisdiction of the United

States, but the several States may continue

Power is given to Congress to enforce the provisions by appropriate legislation.

Army and Navy Orders.

WASHINGTON, Dec. 8. These army orders have

Major John McClellan, Aralliery, from Fort Greble o Camp McKinley, Hawan, to command artillery

district of Honolulu.

Lieut. Col. Louis V. Caziare, Artillery, from headquarters Department of the East to Fort Greble.

These naval orders have been issued:

Rear Admiral F. M. Symonds (retired) detached Naval War College to home.
Lieut, D. L. Wilson (retired) to Naval M issum of Hygiene and M ideal S thool, washington.
Passed Assistant Surgeon E. O. Huntington from Naval Hospital, N. Y., to duty at navy yard at that place.

from Naval Hospital, N. Y., to duty at have at that place.
Assistant Paymaster G. W. Reeves to navy Fard Norfolk, for duty as pay officer of the Franklin.

Contract Surgeon David W. Overton, from Fort chuyier to New York city for annulment of con-

to exercise such power in any man in conflict with the laws of the

approval of that body.

Before the Senate.

parallel

facilitate delivery to their customers.

out paying any tax.

there was a real strike. Seven union plasterers quit work because they suspected that some non-union helpers had been

working on their job. Before putting on their coats the plasterers sent for their walking delegate, who protested to the foreman against the employ-ment of non-union labor. The foreman didn't do anything about it, so the walking delegate ordered the union plasterers to put up their trowels.

For the rest of the day the strikers stood around the corridors undecided as to whether they ought to wait upon Mayor Low, whose attitude toward union labor has never been made clear, or upon Borough President Cantor, who is also among the doubtfuls now. Before last election day Mr. Cantor vowed that he would fight to the death for the rights of organized labor in the matter of the Pennsylvania tunnel franchise, but since the election he has been num about the right of scene shifters and mum about the right of scene shifters and waistcoat workers to dictate to the Pennsylvania company the terms upon which it shall employ the workmen who build

the turmel.

The strikers eventually left the City Hall without seeing either Mr. Low or Mr. Cantor, but with the warm praise of the big horde of labor agitators, who in the last few weeks have been hanging around the City Hall buttonholing Aldermen who have not promised to vote against the tunnel franchise. It has been observed that the men employed in repairing the City Hall have been among the most interested listeners to the arguments made by the listeners to the arguments made by the labor delegates at the public hearings, so the work has not got along very fast.

ICE AIDS THE HORSESHOERS.

Demands for a New Wage Scale and Union Stamp Adopted in a Few Hours.

The journeymen horseshoers who went on strike yesterday throughout Manhattan and The Bronx for the general adoption of their union stamp and a new wage scale had the luck to hit on a frosty morning for their strike. One thousand of them quit work in about 150 shops, including the smithies of the brewing and express companies, and on the asphalt above Fiftynigth street the horses were slipping at every step because the shops were closed and there was no one to sharpen shoes.

At some shops teams were in line waiting in vain for the horseshoers to go to work. This resulted in three-fourths of the em-This resulted in three-fourths of the employers granting the demands in a few hours. The others say they will remain firm. Among the shops where the demands were granted were those of the Lion Brewery, Beadleston & Woerz, the American Express Company, P. J. Conway, Westcott's Express, the Dunlap Express and Henry McCann's shops

shops.

The strike was ordered by the Journey-men Hors shoers' Union, and, while many of the employers were willing to pay the wage scale of \$3.50 and \$4 a day demanded, they were unwilling to adopt the union stamp because the Master Hors shoers' Association has a stamp of its own.

SAFE TO ROB TRADE UNIONS? They're Not Incorporated-Point in Stone-

Justice Fitzgerald reserved decision yesterday on a point of law raised by corpus and certiorari proceedings held in the case of Lawrence Murphy, treasurer of the Journeymen Stonecutters' Association, who is in the Tombs on a charge of embezzling \$10,000 of the organization's

Mr. Nugent declared that as joint trustee and a member of the association, Mur-phy had a vested interest in the funds until an accounting was held by a court equity. He argues that an officer of unincorporated association could take the funds intrusted to him and not be liable to a criminal prosecution for mis-appropriation. In the present case, how-eyer, Nugent maintains that it has not been shown that Murphy ever misappropriated a dollar.

WAGES AT THE NAVY YARD. Machinists' Union Makes an Appeal to the

Sceretary of the Navy. The New York Branch of the International Association of Machinists reported vesterday that it had appealed to the Secretary of the Navy on behalf of the machinists in the navy yard at Brooklyn, saying that in figuring on the wages for the coming year the Board of Wages now in session at the navy yard may be mistaken in its estimate.

The union says that last year, in figuring on the wages for the year, the wages on which the board made its averages were too low and the board was misled as to current rates. As a result of the appeal the union says the Secretary of the Navy has given instructions against barring members of the union from testifying members of the union from testifyi before the board as to the current wages

Teamsters' Strike in New Orleans.

NEW ORLEANS, La., Dcc. 8 .- The teamsters and loaders went out on a strike to-day for higher wages. The union includes all the commercial drivers in the city except those hauling coal and cotton. Some fears are expressed that the strike may extend to the river levee workers, who are dissatisfied, and thus tie up the shipping. The sugar business was almost entirely suspended.

Appointments Confirmed.

WASHINGTON, Dec. 8 .- The Senate to-day confirmed a long list of diplomatic and Consular appointments including the following: Ambassadors Charlemagne Tower of Penn-vivania, to Berlin; Robert McCormick of llinois, to St. Petersburg, and Beliamy storer of Ohio, at Vienna. Also Edward S. Bragg, Consul-General at Illinois, to St. Petersburg, and British Storer of Ohio, at Vienna.
Also Edward 8. Bragg, Consul-General at Hong Kong.
George W. Ray, United States Judge for the Northern district of New York: James F. Smith of California, member of the Philippine Commission

Worse Than Wasted

is the time spent in illness. Hale's Honey of Horehound and Tar cures colds and coughs quickly. Sold by all druggists. 25c., 50c., \$1 per bottle.

Pike's Toothache Drops Cure in One Minute.

Brokaw Brothers

WINTER

QUALITY.

BROKAW BROS The label that always means the best of everything in clothing.

OVERCOATS

FOR MEN. Carefully selected fabrics,

The label always

found in the clothing of good dressers.

FOR BOYS. Smart noveltles in Medireplete with style, quality and good tailoring in addition to other distinctive leatures of "Brokaw" Clothing. um and Extra Long Overcoats, especially designed for boys, and handsomely lined with silk and cassimere.

Fourth Avenue Aster Place Latagette Place



Our Boys' Clothing.

The superiority of our Boys' Clothing is best attested by our ever increasing sales. It is a satisfaction to every boy and parent when the boys' garment bear our trade mark—the recognized guarantee for excellence in style, quality and workmanship, and the best obtainable.

Our Stock was never more complete, elaborate and varied; our styles and prices please all customers.

60-62 West 23d Street.

AN ANTI-TRUST BILL. In Form It Amends the Sherman Anti-Conspiracy Act.

WASHINGTON, Dec. 8.—Senator Nelson of Minnesota, by request to-day, intro-Mr. Shaw told them he could help them duced a bill amending the Sherman Antiand suggested a plan. He proposed that the importers take from the warehouses Conspiracy act. Section 1 is amended by including every "merger or undue cati-talization of corporations, combinations in form of trust or otherwise." under official seal and ship it to various The bill adds a new section to the act as

The bill adds a new section to the act as follows:

Every corporation engaged in trade or commerce among the several States or with foreign rations is required to comply with the following conditions, within thirty days of the passage of this act in case the corporation is now organized and in operation, and in case not so organized then before engaging in such trade or commerce:

To file with the Interstate Commerce Commission a certified copy of its articles of incorporation and of its by-laws and a printed or written statement subscribed to and verified by the oaths of the president, secretary and treasurer of the corporation showing the number and par value of all shares of stock issued and to whom issued in the first instance, whether such stock was issued, given or sold for cash or for other property and if for cash how much per share, and if for other property then the nature, character and intrinsic value of such property, and if the stock has been issued in exchange for the stock has been issued in exchange for the stock of some other corporation, then the nature, the character, the amount and intrinsic value of the stock of such other corporation, and further showing the character and actual value in detail of all the property of the corporation and the amount, character and nature of all the motrgages, bonded or other indebtedness of the corporation. The issue of more stock or the increasing of additional irdebtedness is taked to be independent of the first Monday of July of each year or in the problem, because a large amount of the tea is imported at San Francisco.

This suggestion of the Secretary was acted upon. It was discovered at the Treasury on Saturday, however, that the United States Court of the Southern District of New York Court of the Southern District of New York decided in a case involving the importation of sugar from Porto Rico that the importers must pay the full duty on sugar that had been kept in bonded warehouses, notwithstanding the fact that the merchandise was not withdrawn until after the modification of the tariff on Porto Rican products.

Secretary Shaw then decided to appeal to Congress to relieve the tea importers from paying the tax on such tea as now remains paying the tax on such tea as now remains in bonded warehouses, his reason being that the tea merchants have contracted for deliveries of this tea at low prices under the the ten-cent tax on it after Jan. 1.

Accordingly he addressed a letter to Chairman Payne of the House Committee on Ways and Means, recommending a modification of the law, either by amendment or by special act, allowing the free

Corpora ions are required on or before he first Monday of July of each year or at such other times as they declare divi-dends or increase stock, to file with the Interstate Commerce Commission a cer-tified statement showing the following

tified statement showing the following facts for the preceding year:

The volume and value of the business transacted, the gross earnings, the taxes and fixed charges poid, the rate and amount of dividends declared and paid in any form whether by the issue of additional stock or otherwise; the value of materials purchased, the amount of wages paid; the value of the product or output; the character, nature and value of the property owned or controlled by lease or otherwise, and such other material facts relating to the business of the corporation as the commission may prescribe and require.

tion as the commission may prescribe and require.

No such corporation shall be permitted to carry on such trade and commerce without complying with the conditions and requirements prescribed. And upon the complaint of the Interstate Commerce Commission or upon comblaint of the several United States District Attorneys in their respective districts under the direction of the Attorney-General of the United States Circuit Court, are vested with jurisdiction to prevent and restrain by injunction or otherwise such corporations from carrying on such prohibited trade or commerce.

New Foreign Consuls.

WASHINGTON, Dec. 8 .- The State Dopartment announced this morning that the following foreign consular officers have been recognized:

Charles Alexander Price Taihot, British Consul at Boston for the States of Massa-chusetts, Maine, New Hampshire and Vermont.
B.E. Prats. Vice-Consul of B-Isium at Ponce.
P.R., for the departments of Guayama and Dikran Khan Kelektan, Consul of Persia at Digram Read Research of the Ger-New York.

Hubert Koberg, Vice-Consul of the Ger-man Empire at Mayaguez, P. R.
Joe de Perisand y Fernandinez de la Cruz, Consus-General of Spain at New York St. de Ridder, Consul of Belgium at Louis-ville, for the States of Kentucky, Onio and

ennessee. Juan R. Adams, Vice-Consul of Uruguay t Sabine Pass, Tex., for Port Arthur and Sabine Pass. Enrique Schroader, Vice-Consul of Uruguay at Galveston, Tex.

RICH HOLIDAY GIFTS. Benedict Bros.

WATCHES, DIAMOND ; AND RICH GOLD JIW RY.

Benedict's Time" is Standard Time and Our Trade-Mark.

The Watch and Jewelry House of Benedict Bros. was established in Wall Street in 1819 by Samuel W. Benedict, the father of the present Benedict Bros., which makes it probably the oldest in their line in this country. The present Benedicts removed to the corner of Cortlandt Street in 1863.

They are now located at the corner of Broadway and Liberty Street. They are now located at the corner of Broadway and Liberty Street, where they have the most attractive jewelry store in the United States and, perhaps, in the world.

An early inspection of their megnificent and extensive line of fine Watches, Diamonds and other Precious Gems is cordially invited.

Try "The Banedict" Patent Siseve and Collar Button! BENEDICT BROS.

JEWELERS. 141 Broadway, Cor. Liberty St., NEW YORK.

Horner's Furniture.

WRITING DESKS In over one hundred styles; no two alike. For the letter writer, the student, the litterateur. Nothing more handsome and appropriate for a holiday gift. You can nowhere find such an assortment; nowhere obtain equal values.

61, 63, 65 West 23d Street.

WANTED SALOON: GOTA HUSBAND Weman Signed Wrong Name to Bill of Sale.

but Twas Hers Ten Minutes Later. Miss Ida Furst of 165 East Sixty-fifth street, Manhattan, accompanied by Victor Baum and Alois Memminger, both of 128 Pay mia avenue, Jersey City, went to Justice of the Peace James K. Murphy's office, that city, a few nights ago to execute a bill of sale to Miss Furst of Memminger's saloon. She was confused when she signed her name and asked the Justice to be careful

in using the blotter.

"I thick, ma'am, that you've made a mistake," exclaimed Murphy. "You told me your name was Furst and you've signed Dear me, how careless!" said Miss Furst. "Dear me, how careless!" said Miss Furst.
"What a furry blunder! I'm going to be
Mrs. Baum some day. I must have been
thicking of it because Victor is here."
"Why dor't you change it now?" asked "Why don't you change it now?" asked Murphy. "That will save the bother of making out new papers."
"I wish you would," said Baum.
"Well, I suppose I might as well," mur-

mured the young woman.

Ten minutes later when they left the office the bride carried a wedding certificate.

